41358798 HUTRZ40 \$ 17,00

GF# 88-7610 JP/eh

# M079740

RECEIPT AND RELEASE OF MECHANIC'S AND MATERIALMAN'S LIEN

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

That MECHANICAL SPECIALTY INTERNATIONAL OF HOUSTON, INC., a Texas corporation ("MSI"), for Fighreen Thousand Nine Hundred Sixty seven and 62/100 Dollars (\$18,967.62) (the "Stipulated Sum") cash and other good and valuable consideration paid by FERMENTA PLANT PROTECTION, INC., a Delaware corporation ("Fermenta"), to MSI. as the legal and equitable owner and holder of the indebtedness described in that certain Affidavit for Subcontractor or Derivative Claimant for Mechanic's and Materialman's Lien dated September 30, 1987 that certain Africavit for Subcontractor of Derivative Claimant for Mechanic's and Materialman's Lien dated September 30, 1987 (the "Lien Affidavit"), covering and describing that certain tract or parcel of real property (the "Subject Property") described in Exhibit A attached hereto and made a part hereof for all purposes, filed for record in the Official Public Records of Real Property of Harris County, Texas, under Clerk's File No. L-360587, and recorded under Film Code Reference No. 14-21-04.77 does bereby No. 194-21-0477, does hereby:

- (i) acknowledge and confess the receipt and sufficiency of the Stipulated  $\mbox{Sum}$  and
- (ii) RELEASE, RELINQUISH and FOREVER DISCHARGE all liens (hereinafter called the 'Subject Liens', which term shall include, without limitation, the liens evidenced and "Feated by the Lien Affidavit, and any and all other liens afforded contractors, subcontractors, artisans, laborers, mechanics, materialmen, suppliers of specially fabricated materialmen, suppliers of specially fabricated materials, equipment lessors, architects and engineers under the constitution and laws of the State of Texas), which are or may be owned, claimed or held by through or under MSI or to which MSI or any person, firm or corporation claiming by, through or under MSI is or could be entitled and encumbering or relating to the Subject Property and any improvement or fixture thereon. thereon.

In connection with this Receipt and Release, MSI warrants and represents that:

- MSI is the legal and equitable owner and holder of the lien evidenced and created by the bren Affidavit.
- MSI has not assigned, transferred, mortgaged, pledged or hypothecated any interest in tayor of any third party with respect to the Subject Liens.
- MSI has the unrestricted right, power and authority to receipt for the Stipulated Sum, and to fully and effectively release the Subject Liens free and clear of claims of any person, firm or corporation firm or corporation.

MSI further agrees to protect, indemnify and save marmless Fermenta from and against each and every claim, demand or cause of action asserted or to be asserted by any person.

Return to Lawyer's Title Company 617 Caronne Houston Texas 77002

9548327

firm or corporation upon or or the Lien Affidavit.		-		
EXECUTED this 3	day o	f Mi	42 E.M.	 1989.

MECHANICAL SPECIALTY INTERNATIONAL OF HOUSTON, INC.

Name: DAVIC C SKI Title: VICE PROSIDE

THE STATE OF TEXAS

COUNTY OF HARRIS

day of Marchan, 1989, by Daniel Skinning.

Nice President MECHANICAL SPECIALTY INTERNATIONAL OF HOUSTON.

INC., a Texas corporation, on behalf of said corporation.

January d. Wookson

Notan Public in and for
the State of Texas

TAMMY L WOOLSON My Commission Expires 10-14-89

### TRACT I:

An 8.3311-acre tract or parcel of land out of that certain 109.828-acre Tract No. 1 of land conveyed by Wah Chang Smelting and Refining Company of America, Inc. to Port of Houston Authority of Harris County, Texas by deed dated November 2. 1973 and recorded in Film Code No. 170-25-0111 through 170-25-0117 of the Deed Records of Harris County, Texas, said tracts of land being in the Richard & Robert Vince Lesgue, Abstract 76, Harris County, Texas, and said 8.3331-acre tract or parcel of land being more particularly described by metes and bounds, as follows:

COMMENCING at a concrete monument in the northwest corner of the aforesaid 109 828-acre Tract No. 1, which corner lies in the south right-of-way line of the North Shore Railroad owned by Hissouri Pacific Railroad Company, and which corner is also the north-east corner of a tract of land owned by SDS Slotech Corporation;

THENCE, S.0° 35'00"E. along and with the west boundary line of the said 109.828-acre Tract No. 1, which line is also the east property line of the aforesaid SDS Blotech Corporation tract of land, a distance of 988.77 feet to a railroad apike for the PCINT OF BEJINNING of the tract of land herein described:

THENCE, S.0° 05'00"E. continuing along and with the said west boundary line of the said 109.828-active Tract No. 1, which line is also the east property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 1,459.75 feet to a railroad spike in the west boundary line of a 50-foot wide right-of-way and easement granted to Houston Lighting & Power Company, for corner:

THENCE, N.18° 43'50"E, along and with the west boundary line of the aforesaid 50-foot wide right-of-way and essement of Houston Lighting & Power Company, a distance of 1,542,15 feet to a wooden stake, for corner:

THENCE, S.89° 55'00"W. a distance of 497.33 feet to the POINT OF BECINNING of the tract of parcel of land described herein, containing 8.3331 acres, more or less, of land.

Said 8.3331-acre trant or parcel of land described hereinbefore contains a 90-four wide drainage right-of-way and essement along and contiguous with the west boundary line of said 8.3331-acre tract, which right-of-way and essement were conveyed by J. H. Hirst. Trustee to Harris County Flood Control District by deed dated November 5, 1958 and recorded in Volume 1566, Page 456 of the Deed Records of Harris County Texas.

#### TPACT II:

Abr. 12 (4.55/47)

121.1328 acres of land in the Richard and Robert Vince Survey, Abstract Bo. 76, Harris County, Texas, being but of a 185.903 acre tract of land being the same property described as fifth tract in a deed dated August 2, 1945, to J. P. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point in the northeast line of a 60 foot right-of-way for Haden Road at the southeast corner of that certain 2.7087 acre tract conveyed to Jones Chemicals, Inc. by deed dated July 23, 1975 by Dismond Shamrock Corporation, recorded in the Deed Records of Marris County, Texas, under County Clerk's File No. E497928 and Film Code 124-12-0763;

THENCE North 0° 05' East with the east line of said 2.7087 acre tract 544.74 feet to a point for the southwest corner of that certain 1.7217 acre tract conveyed to Jones Chemicals, Inc. by deed dated Pebruary 23, 1979, by Diamond Shamrock Corporation, recorded in the Deed Records of Harris-County, Texas, under County Clerk's Pile No. G010887 and Pilm Code 123-84-0386;

THERCE South 89° 55' East with the south line of said 1.7217 acre tract 150.00 feet to a point for its\_southeast corner:

THERCE North 0° 05' East with the east line of said 1.7217.acre tract 500.00 feet to a point for its northeast companies the north line of said 145.903 acre tract and the sous saight-of-way line of the Houston North Shore Railway;

THERCE South 89° 55' Fast with the north line of said 145.903 scre treet and the south Tight-of-way line of the Houston Borth Shore Rellway 2225.97 feet to a point for the northwest corner of that certain 1.009 acre tract conveyed to Marris County Flood Control District by Diamond Alkali Company:

THERCE Southerly with the west line of seid 1,009 acre tract as follows:

South 0° 18' West 100.51 feet, South 29° 42' East 273.04 feet, and South 17° 04' East 122.65 feet to a point for the south corner of said 1.009 scre tract in the east line of said 145.902 acre tract;

THENCE South 0° 02' West with the east line of seid 145.903 acre tract 2691.08 feet to a point in the north line of that certain tract of land conveyed by H. L. Nicholson, Administrator of the Estate of R. E. Brooks, decessed, to Marris County Rouston Ship Channel Navigation District by deed dated August 6, 1941, and recorded in Volume 1219, Page 626, of the Daed Records of Harris County, Texas;

THERCE Borth 76° 43' West with the north line of said tract 144.95 feet to a point for corner in the southwest line of said 145.903 acre tract;

THERCE Borth 50° 21' West with the southwest line of said 145.903 acre tract 746.82 feet to a point for the southeast corner of 60 foot right-of-way for Haden Road;

THENCE North 0° 02' East with east line of said 60 footright-of-way 77.89 feet to a point for its northeast corner;

THENCE North 50° 21' West with the northeast line of said 60 foot right-of-way 2377.63 feet to the PLACE OF BEGINNING, containing 121.1328 acres of land, more or lass.

#### TRACT III:

85.1532 acres of land in the Richard and Robert Vince Survey, Abstract Eo. 76, Harris County, Texas, being out of a 99.811 acre tract of land being the same property described as second tract in a deed dated August 2, 1945, to J. P. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point on the left bank of Greens Bayou for the south corner of that certain 3.6559 acre tract conveyed by deed dated October 12, 1978 to Pennwalt Corporation by Dismond Shamrock Corporation, recorded in the Deed Records of Marris County, Texas under Clerk's File No. P828274, Film Code 110-92-1613;

THERCE North 57° 00' East with the southeast line of said 3.6559 ecre trant at 93.39 feet passing a 5/8" iron rod, at \$12.70 feet passing a 5/8" iron rod set for the east corner of said 3.6559 acre tract and the south corner of Pennselt Chemical Corporation's 1.6899 acre tract of land described in an instrument recorded in Volume 6347, Page 414, of the Deed Records of Harris County, Taxas, and continuing along the same bearing and the southeast line of the said 1.6899 acre tract of land a total distance of 1212.70 feet to a point for corner;

THERCE South 33° 00' East 20.00 feet to a point for corner;

THERCE North 57'  $00^\circ$  East with the southeast line of said 1.6899 ecre tract 825.01 feet to a point for corner;

THERCE South 86° 27' East with the south line of said 1.6899 core tract-203.43 feet-or a point for corner in the northeast line of said 99.811 acre tract and the southwest line of Harris Committy Houston Ship Channel Navigation District Railroad right-of-way:

THERCE South 50° 21' East with the northeast line of said 99.811 acre tract and the southwest line of said railroad right-of-way 1498.17 feet to a concrete monument set for the east corner of said 99.811 acre tract;

THERE South 57° 00' West with the southeast line of said 99.811 acre tract 2569.80 feet to a concrete monument set for the south corner of said 99.811 acre tract in the left bank of Greens Bayou:

TMEMOE in a Northwesterly direction with the left bank of Greens Bayou and its meanders as follows:

Horth 45° 28' West 273.30 feet,
Borth 38° 43' West 283.90 feet,
Borth 28° 18' West 290.40 feet,
Borth 25° 30' West 273.00 feet,
Borth 37° 11' West 400.00 feet, and
Borth 51° 33' West 66.23 feet to the PLACE OF
BEGINNIES, containing 85.1532 ecres of land.

TRACT III:

85.1532 acres of land in the Richard and Robert Vince Survey, Abstract Bo. 76, Harris County, Texas, being out of a 99.811 acre tract of land being the same property described as second tract in a deed dated August 2, 1945, to J. F. Hedding, Trustee, and recorded in Volume 1395, Page 533 of the Deed Records of Harris County, Texas, and being described as follows:

BEGINNING at a point on the left bank of Greens Bayou for the south corner of that certain 3.6559 acre tract conveyed by deed deted October 12, 1978 to Pennwelt Corporation by Diamond Shamrock Corporation, recorded in the Deed Records of Harris County, Texas under Clerk's Pile No. P828274, Pilm Code 110-92-1613;

THENCE North 57° 00' East with the southeast line of said 3.6559 ecre tract at 93.39 feet passing a 5/8" iron rod, at 412.70 feet passing a 5/8" iron rod set for the east corner of said 3.6559 acre tract and the south corner of Pennsait Chemical Corporation's 1.6899 acre tract of land described in an instrument recorded in Volume 6347, Page 414, of the Deed Records of Harris County, Texas, and continuing along the same bearing and the southeast line of the said 1.6899 acre tract of land a total distance of 1212.70 feet to a point for corner;

THERCE South 33° 00' East 20.00 feet to a point for corner;

THESCE North 57' 00" East with the southeast line of seld 1.6899 acre tract 825.91 feet to a point for corner;

THERCE South 86° 27' East with the south line of said 1.6899
tract 201 al feet to a point for corner in the northeast
the seid 99.811 acre tract and the southwest line of Harris
the Bouston Ship Channel Havigation District Railroad right-or-

THERCE South 50° 21' East with the northeast line of said 99.811 acre tract and the southwest line of said railroad right-of-way 1993.17 feet to a concrete monument set for the east corner of said 99.811 acre tract;

THERE South 57° 00' West with the southeast line of said 99.811 acre tract 2569.80 feet to a concrete monument set for the south corner of said 99.811 acre tract in the left bank of Greens Beyou;

THERCE in a Horthwesterly direction with the left bank of Greens Bayou and its meanders as follows:

North 45° 28' West 273.30 feet, Borth 38° 43' Mest 283.90 feet, Borth 28° 18' Mest 290.40 feet, Borth 25° 30' Mest 273.00 feet, Borth 37° 11' Mest 400.00 feet, and Borth 51° 33' West 65.23 feet to the PLACE OF EXCLUSION, containing 85.1532 acres of land.

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## TPACT II:

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BEGINNING at a point in the northeast line of a 60 foot right-of-way for Haden Road at the southeast corner of that certain 2.7087 acre tract conveyed to Jones Chemicale, Inc. by deed dated July 23, 1975 by Diemond Shemrock Corporation, recorded in the Deed Records of Harris County, Texas, under County Clerk's File No. E497928 and Film Code 124-12-0763;

THENCE North 0° 05' East with the east line of said 2.7087 acre tract 544.74 feet to a point for the southwest corner of that certain 1.7217 acre tract conveyed to Jones Chemicals, Inc. by dued dated Pebruary 23, 1979, by Diamond Shaarock Corporation, recorded in the Deed Records of Harris County, Texes, under County Clerk's Pile No. GO10887 and Pilm Code 123-64-0366;

THERCE South 89° 55' East with the south line of said 1.7217 acre tract 150.00 feet to a point for its southeast corner;

THERCE North 0° 05' East with the east line of said 1.7317 acre tract 500.00 feet to a point for its northeast comparing the north line of said 145.903 acre tract and the south feath-of-way line of the Houston North Shore Reliway;

\*\*HERCE South 89° 55' East with the north line of said 145.903 acre tract and the south-right-of-way line of the Houston Borth Shore Railway 2225.97 feet to a point for the northwest corner of that certain 1.009 acre tract conveyed to Marris County Flood Control District by Diamond Alkali Company;

THERCE Southerly with the west line of said 1.009 scre tract as follows:

South 0° 18' West 100.51 feet,
South 29° 42' East 273.04 feet, and
South 17° 04' East 122.85 feet to a point
for the south topper of said 1.009 acre tract in the east line
of said 145.902 acre tract;

THENCE South 0° 02' West with the east line of said 145.903 acre tract 2691.08 feet to a point in the north line of that certain tract of land conveyed by H. L. Nicholson, Administrator of the Estate of R. E. Brooks, decessed, to Harris County Rouston Ship Channel Navigation District by deed deted August 6, 1941, and recorded in Volume 1219, Page 626, of the Deed Records of Rarris County, Texas;

THEREE Borth 76° 43' West with the north line of said tract 144.95 feet to a point for corner in the southwest line of said 145.903 acre tract;

THERCE Borth 50° 21' West with the southwest line of said 145.903 acre tract 746.82 feet to a point for the southeast corner of 60 foot right-of-way for Haden Road;

THENCE North 0° 02' East with east line of said 60 foot right-of-way 77.89 feet to a point for its northeast corner;

THENCE Borth 50° 21' West with the northeast line of said 60 foot right-of-way 2377.63 feet to the FLACE OF BEDINNING, containing 121.1328 acres of land, more or less.

## TPACT I:

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An 8.3331-acre tract or parcel of land out of that certain 109.828-acre Tract No. 1 of land conveyed by Wah Chang Smelting and Refining Company of America, Inc. to Port of Houston Authority of Harris County, Texas, by deed dated November 2, 1973 and recorded in Film Code No. 170-25-0111 through 170-25-0117 of the Deed Records of Harris County, Texas, said tracts of land being in the Richard & Robert Vince League, Abstract 76, Harris County, Texas, and said 8.3331-acre tract or parcel of land being more particularly described by metes and bounds, as follows:

COMMENCING at a concrete monument in the northwest corner of the aforesaid 109.828-acre Tract No. 1, which corner lies in "Le south right-of-way line of the North Shore Railroad owned by Missouri Pacific Railroad Company, and which corner is also the northeast corner of a tract of land owned by SDS Stotech Corporation:

THENCE, 5.0° 35'00"E, along and with the west boundary line of the said 109.828-acre Tract No. 1, which line is also the east-property line of the aforesaid SDS Biotech Corporation tract of land, a distance of 938.77 feet to a railroad spike for the #FORM OF BEGINNING of the tract of land here's described.

THENCE, S.0° 05'00"E. continuing along and with the said weet boundary line of the said 109.828-acre Track No. 1, which line is also the safe property line of the aforesaid 508 Biotech Corporation tract of land, a distance of 1,459.75 feet to a reilroad spike in the west boundary line of a 50-foot wide right-of-way and easement granted to Mouston Lighting & Power Company, for corners

THENCE, N.18° 43'50"E, along and with the west boundary line of the aforecaid 50-foot wide right-of-way and easement of Houston Lighting & Power Company, a distance of 1,342.13 feet to a wooden stake, for corner:

THENCE, S.89° 55'00"W. a distance of 497.33 feet to the POINT OF BEGINNING of the tract of parcel of land described herein, concaining 8.3331 acres, more or less, of land.

Said 8.331-acre trent or percel of land described hereinbefore contains a 90-fout wide drainage right-of-way and easement along and contiguous with the west boundary line of said 8.331-acre tract, which right-of-way and easement were conveyed by J. H. Hirst, Trustae to Harris County Flood Control District by deed dated November 5, 19-8 and recorded in Volume 1566, Page 454 of the Deed Records of Harris County To the November 5, 19-8 and Trustae to Harris County To the November 5, 19-8 and Trustae to Harris County To the November 5, 19-8 and Trustae to Harris County To the November 5, 19-8 and Trustae to Harris County To the November 5, 19-8 and Trustae to Harris County To the November 5, 19-8 and Trustae to Harris County Trustae to Harr

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AT THE TIME OF RECORDATION. THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBETITY CARBON OR PHOTO COPY. DISCOLORED PAPER, ETC.



anta Rodelune COUNTY CLERK.
HARRIS COUNTY, TEXAS

C. ERN.

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